It is noted that the examiner was unable to apply a rejection over the **disclosure** of Acklin et al., and therefore found himself constrained to apply the outstanding rejection over claims 1, 2 and 14 of Acklin et al. In that process the examiner has misread Acklin et al., because that reference with its **two reactions** i.e. (1) the first reaction, that with the strong acid that has to be at least as strong as formic acid, to liberate cyanic acid from its salts, and (2) the second reaction (with only the second reaction being recited in claims 1, 2 and 14) in the presence of an optional acidic agent (*säures Mittel*) that can be the same or different from the acid used in (1) and can also be acetic acid in the second reaction only. Therefore, as it also clearly appears from the enclosed accurate translation of the pertinent portions of Acklin et al, the acidic agent (*säures Mittel*) of Acklin et al, including that referred to e.g. in claims 2 and 14, is different from the acid that has to be used in reaction (1) and which has to be at least as strong an acid as formic acid (which leaves acetic acid out since it is **a weaker acid than formic acid**). The foregoing all appear clearly in the enclosed accurately translated text portions of the Acklin et al. disclosure, and brook no contradiction.

A great defect of relying on claims for the rejection (since the aforementioned features of the disclosure prevent the examiner from relying on the disclosure), is that claims do not recite a complete reaction, especially German style claims which recite only some of the characterizing features of what is considered to be the invention. However, claims are supposed to be construed in the light of the disclosure, and the examiner may not rely for rejection solely on the wording of the claims, without reference to the disclosure part of the specification in interpreting the meaning of those claims.

Thus **none of the claims relied on by the examiner from Acklin et al., claim the complete two-step reaction of that reference.** As it was also observed by the examiner, claim 1 starts by claiming only the second reaction wherein cyanic acid (according to the disclosure **liberated from its salts by an acid that inherently cannot be acetic acid**) is reacted. Claim 2 additionally recites the presence of the acidic agent (*säures Mittel*) which is in the disclosure indicated as being optional. Claim 4 attributed a second function to acetic acid **in that second reaction,** because it is specified as also being capable of acting as a solvent. Thus it is correct that acetic acid may have a double function, but only as a catalytically small amount as the acidic agent (*säures Mittel*), and also as a solvent. That is the only double function that can be gleaned for acetic acid both from the claims and from the disclosure of Acklin et al.

The examiner correctly finds that those claims of Acklin et al. on which he bases his rejection, are limited only to the second of the aforementioned two reactions of Acklin et al. and the source of the cyanic acid is not specified in those claims.

The disagreement with the examiner starts with his apparent misreading of the disclosure of Acklin et al. which seems to intimate in the examiner's apparent (and later express) conclusion that acetic acid can be used to liberate cyanic acid from its salts. In support of that erroneous conclusion the examiner relies on the disclosure in Acklin et al.

(A) in column 2, lines 39-54, and (B) in column 3, lines 27-41. (A) discloses the need of a strong protonic acid to liberate cyanic acid from its salts, which strong protonic acid has to be at least as strong as formic acid, thus clearly excluding acetic acid which is admittedly a weaker acid than formic acid. This fact has already been conclusively proven and established during the previous appeal. Part (A) of the disclosure of Acklin et al. appears in the first 2 paragraphs of the enclosed correct translation. Part (B) of the text of the disclosure of Acklin et al. appears in the last paragraph of the enclosed accurate translation portion. That part (B) of the disclosure of Acklin et al., however, deals only with the characteristics of the catalytically small amount of the acidic agent (*säures Mittel*). The parts (A) and (B) have nothing to do with each other in the sense of the claims on which the outstanding new rejection is based, because, part (A) deals with the first reaction of Acklin et al. in which the cyanic acid is produced by liberating it from its salts by a strong acid, and part (B) **and only part (B)**, deals with the subject matter of the claims on which the rejection newly and belatedly made in the Advisory Action is based.

The claims of the present invention, however, do not recite reacting cyanic acid in the presence of acetic acid. The present claims react an alkali cyanate with iminostilbene in the presence of acetic acid, and Acklin et al. does nothing of the sort. Thus the claims on which the present claims are sought to be rejected, have nothing to do with the herein claimed reaction between iminostilbene and an alkali cyanate, neither of which can be found in claims 1, 2, and 14 of Acklin et al. Therefore, at no point does Acklin et al. disclose or even suggest in those claims reacting a cyanate salt and iminostilbene **in the presence of acetic acid**, much less in the presence of acetic acid as the sole acid in the reaction mixture, **because when those two reaction partners are reacted with each other, an acid that is stronger than acetic acid is required by Acklin et al. to be present in the reaction mixture.**

Formic acid is not a weak acid, in the sense that it is (a) a stronger acid than acetic acid, and the acid used in part (A) has to be at least as strong an acid as formic acid. The examiner's speculative equating of formic acid with acetic acid in reaction A (which is respectfully submitted to be unclear) is contrary to the teaching of the reference which requires the acid in reaction A to be at least as strong as formic acid and postulating widely divergent (but nevertheless both under 50%) conversions of cyanate salts into cyanic acid, even if it were correct, describes a very poor conversion into cyanic acid by formic acid, and an even much poorer, practically minuscule conversion into cyanic acid by the use of acetic acid. The experimentally (and not speculatively) determined **conversion performance of 98% into the end product** by the entirely different reaction according to the present claims, vastly overshadows even the speculative minuscule conversions (only in the first stage into cyanic acid) relied on by the examiner for the first time during the prosecution of this application. The further speculation that the first reaction step of Acklin et al. is some kind of a cyanic acid production machine which supplies an endless amount of cyanic acid as it is consumed during the second reaction step, is entirely unwarranted and is baseless.